U.S. Department of Justice
Office of Juvenile Justice and Delinquency Prevention

Managing Juvenile Restitution Projects

COMPLETED

MANAGING JUVENILE

RESTITUTION PROJECTS

By

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FOREWORD

The following guide was developed by NOSR staff through its technical assistance contract with the Office of Juvenile Justice and Delinquency Prevention (OJJDP). The purpose of this guide is to provide information that will strengthen the management efforts of projects involved in the OJJDP National Initiative on Restitution. As such, the guide includes three major tasks for managers to complete:

- *A review of the national perspective and the project's relationship to it;*

- *A review of the project's purpose and objectives relative to the national goals; and,*

- *A review of a model flowchart from which projects can examine their relationship to local court structures to develop procedures for daily operations.*

In addition to these tasks, the guide contains a discussion of related administrative areas and suggestions to consider which are subject to varying local situations. Finally, a number of examples are included for restitution agreements, verification of loss, progress reports for case management, and staff position descriptions.

While this guide is primarily designed as a training resource for managers, it can also serve as the basis for management training of staff.

The National Office for Social Responsibility would like to thank Louise Dutzman-Garris and S. Darlene Dove for their assistance in the development, typing, and preparation of this document and Janet Dinsmore for her assistance in editing.

Special appreciation and acknowledgement is given to Mary Santonastasso (OJJDP GPM) for her work and assistance as the government monitor of this contract; Charlene Chinn (NOSR), David Smiley (NOSR) and Bob Benton (NOSR) for their assistance, help, suggestions and comments; and, finally, to Joe Hudson, Burt Galaway and Alan Harland for their extensive efforts to strengthen and improve the use of these concepts in both the criminal and Juvenile Justice systems.

NOTE

The information contained in this document on restitution/community service programming was originally developed for approximately one-hundred local jurisdictions which implemented these concepts in a national demonstration program funded by the federal government (OJJDP). As a result, the material incorporates several requirements which were specific conditions of this national effort which may or may not be relevant to the plans/ideas of your jurisdiction (e.g., information on national goals, restrictions on target population, etc.).

We believe, however, that the planning, management and administrative approaches (pages 6 - 37) contained in this document should be helpful to any formalized restitution/community service planning effort involving juvenile offenders.

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I. BACKGROUND

The Office of Juvenile Justice and Delinquency Prevention (OJJDP) was established in 1974 by an act of Congress. This office was mandated to coordinate all federal juvenile justice and delinquency projects and to place special emphasis on promoting the development of innovative programs.

In the spring of 1978, OJJDP promulgated guidelines for a national restitution initiative aimed exclusively at the target population of adjudicated* delinquent offenders (i.e., youth determined guilty through a formal legal procedure). After a highly competitive selection process, forty-one projects were chosen as national demonstration sites to test improved methods for implementing restitution in a formalized manner. These projects will be operated in a number of ways including:

- State agencies/departments coordinating the efforts of multiple county court departments;
- Individual county probation departments receiving cases from juvenile courts;
- Private agencies receiving cases from juvenile courts; and,
- Other state/county/city agencies receiving cases from juvenile courts.

The entire initiative is funded in the amount of twenty million dollars over a two year period. An additional third year of funding will be considered for those projects able to demonstrate successful achievement of both the national goals and the project objectives.

*The process and terminology related to adjudication varies from state to state.

To support this national effort, OJJDP has contracted with the Institute of Policy Analysis (IPA) in Eugene, Oregon and the National Office for Social Responsibility (NOSR) in Arlington, Virginia. IPA's responsibilities include:

- Collecting client activity data on all forty-one projects; and,
- Conducting a national outcome evaluation on six projects.

NOSR's responsibilities include:

- Providing technical assistance through regional training conferences; and,
- Disseminating materials and information to and among projects involved.

This level of interaction among Project Managers, OJJDP, IPA, and NOSR is designed to achieve mutual solutions to complex problems faced by all projects on a daily operational basis.

II. MANAGERIAL TASKS

The success of individual restitution projects will largely depend upon the talents of individual staff members working with clients and services. However, the extent to which these talents can be utilized hinges upon the manager's ability to provide a clear framework from which to operate. More specifically, this framework develops out of the manager's efforts to:

- Clarify the project's involvement as a national demonstration site in this restitution initiative;
- Clarify the national goals and the relationship of the project to these goals; and,
- Establish an operational process for receiving, managing, and terminating restitution cases.

While there are a number of ways for managers to accomplish these ends, the following tasks outline one method for doing so.

Task 1: Review of National Involvement and Related Background Materials

This task is primarily related to those project managers hired after the planning, review, and negotiation process for the project's funding in this national initiative. Among the materials to be reviewed and examined under this task are:

- OJJDP Program Announcement, "Restitution by Juvenile Offenders: An Alternative to Incarceration";

- NOSR, "A Guide to Juvenile Restitution Programming";
- Other materials/references utilized by project for planning purposes; and,
- OJJDP data collection forms required to be completed by all projects and forwarded to the Institute of Policy Analysis (IPA) in Eugene, Oregon.

These materials provide the general framework of the projects' involvement nationally. Included are: the basic guidelines and conditions for involvement; an examination of many of the major issues involved; the target population to be addressed in this initiative; major findings of other restitution programming efforts; and, a survey research tool for examining the involvement of victims and offenders within each of these projects.

Task 2: Review of Project Relative to National Goals

This task involves an examination of the project's purpose and objectives and their relationship to the national goals.

National Goals

The national goals of OJJDP can be summarized as follows:

- A reduction in the number of youth (offenders) incarcerated (in the jurisdiction where the project operates);
- A reduction in recidivism of those youth involved in (these) restitution projects;

- Provision for some redress or satisfaction with regard to the reasonable value of the damage or loss suffered by victims of juvenile offenses;

- Increased knowledge about the feasibility of restitution in terms of cost effectiveness (compared to other dispositions), impact on differing categories of youthful offenders and the juvenile justice process;

- An increased sense of responsibility and accountability on the part of offenders for their behavior; and,

- Greater community confidence in the juvenile justice process.

The extent to which these national goals are met will be determined by:

- A national evaluation on six projects which is designed to measure the objectives and outcomes of these specific projects;

- An assessment of all projects' client activity through the required data collection forms; and,

- Routine progress reports and government audits.

Consequently, all managers should examine their project's purpose and objectives relative to achieving one or more of the national goals. The closer the project purpose and objectives can be linked to one or more of the national goals, the easier it will be for managers to:

- Regularly assess progress toward meeting both the national goals and project objectives;

- Simultaneously account to national and local administrative bodies with required progress reports; and,

- Modify and adjust the project as necessary to achieve both the national goals and the project objectives.

Project Purpose/Objectives

In reviewing the project purpose/objectives, managers should examine the proposal, grant, or workplan that outlines the project intentions. The aim of this review is to take the larger body of information and simplify it for operational purposes. The questions that should be addressed in this review are:

A. What is the primary focus or purpose of the project?

This purpose can be best identified by considering who or what benefits most from the project's operation. Examples include: the offender, the victim, the community, and the juvenile justice system. While projects may wish to serve more than one benefactor simultaneously, there are inherent difficulties in doing so. One, efforts to serve one benefactor may conflict with attempts to serve other benefactors. For instance, maintaining victim satisfaction in a particular case may undermine offender rehabilitation. Two, the extended use of resources and staff time devoted to serving secondary benefactors may result in a disservice to the primary benefactor. Failure to resolve these difficulties can result in an undefined or poorly defined project purpose. Finally, if a combination of benefactors are considered

primary, then staff time, resources, and objectives must be proportionately designated to each.

B. Which offenders are eligible for the project?

Written eligibility criteria should be developed by all projects to help control inefficient use of staff time and inappropriate referrals to the project. These criteria will differ across project sites due to the various methods of restitution being utilized. On the basis of participation in this national initiative, OJJDP has excluded the following offenders from participation:

- Status offenders;
- Offenders involved in victimless crimes;
- Offenders found guilty of non-negligent homicide; and,
- Offenders who have not been found guilty through a formal fact finding hearing or counselled plea.

C. What are the objectives to be achieved in working with eligibile offenders and their victims in meeting the project purpose?

Specific objectives should be developed directly from the project purpose. Therefore, these objectives should be examined to ensure that achieving them can accomplish the project purpose. For example, if the purpose is to benefit the offender, these objectives may incorporate such factors as rehabilitation, recidivism, and offender accountability.

Conversely, if the purpose is to benefit the victim, these objectives may incorporate such factors as satisfaction with the justice system, repair of damage, and repayment for loss. These objectives should be measurable and well defined so as to:

- Help provide a framework within which to make daily operational decisions;
- Establish project performance criteria for monitoring purposes; and,
- Serve as a basis for the evaluation of project success.

Task 3: Establishing Procedures for a Restitution Project

In order to manage the complexities of an individual restitution project and provide staff with a framework to carry out their responsibilities, the development of a procedural manual is strongly advised. While there are a number of methods for accomplishing this difficult but crucial task, a suggested initial step is to design an operational flowchart which explicitly isolates all court and project functions from first to final contact with offenders (and victims). Such a flowchart should contain:

- All significant processes and actions involved, and the procedures required to perform them; and,
- The identity of the major actors.

The following model is provided here as a basis of comparison for developing local operational flowcharts. While this general model isolates the basic processes which all restitution projects must address in some form, local operational flowcharts require more specificity with respect to procedures, actions, and actors.

FIGURE 1: MODEL FLOWCHART FOR JUVENILE RESTITUTION PROJECTS

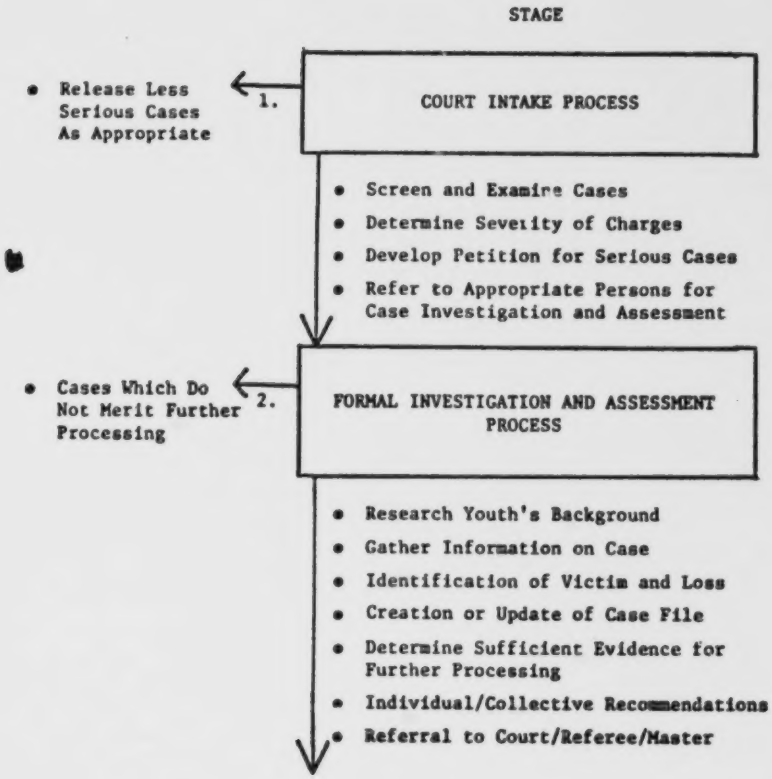
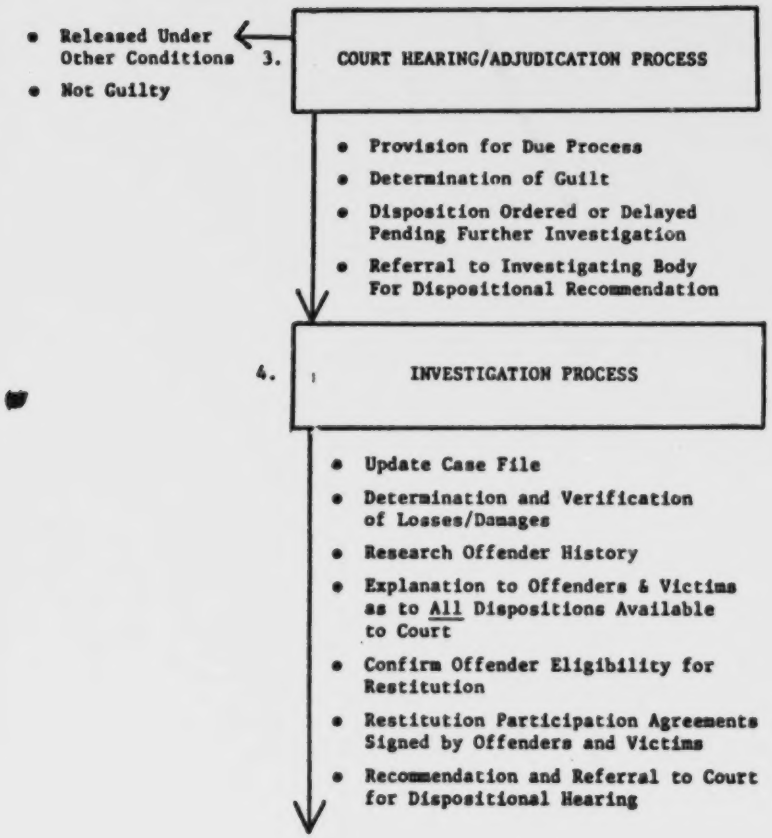

STAGE
ACTORS
NOTES
• Release Less Serious Cases As Appropriate
1.
COURT INTAKE PROCESS
• Screen and Examine Cases
• Determine Severity of Charges
• Develop Petition for Serious Cases
• Refer to Appropriate Persons for Case Investigation and Assessment
• Cases Which Do Not Merit Further Processing
2.
FORMAL INVESTIGATION AND ASSESSMENT PROCESS
• Research Youth's Background
• Gather Information on Case
• Identification of Victim and Loss
• Creation or Update of Case File
• Determine Sufficient Evidence for Further Processing
• Individual/Collective Recommendations
• Referral to Court/Referee/Master
Court Intake Personnel, (Probation Staff), Youth, Parents, Referral Agent
Prosecuting Attorney, Hearing Officers, Defense Attorney, Probation Staff
Stage One is generally the earliest screening phase in the formal court structure. It is intended to determine the severity of cases which would require formal processing. If this stage includes recommendations which relate to potential dispositions, personnel should be trained on the appropriateness of the local restitution project (i.e., project purpose and eligibility criteria). Restitution staff involvement should be limited to avoid unnecessary resource and time expenditure on cases which would not merit a disposition to the local project.
Stage Two generally reflects a series of steps which are designed to support or reject the decisions made in stage one. Each of the major actors have individual and collective responsibilities which may also include a general or specific dispositional recommendation if a finding of guilt is determined. As such, the major actors in this stage should be trained as to the project purpose and eligibility criteria of the local restitution project.

Figure 1 (Page 1 of 6)


• Released Under Other Conditions
• Not Guilty
3. COURT HEARING/ADJUDICATION PROCESS
• Provision for Due Process
• Determination of Guilt
• Disposition Ordered or Delayed Pending Further Investigation
• Referral to Investigating Body For Dispositional Recommendation
4. INVESTIGATION PROCESS
• Update Case File
• Determination and Verification of Losses/Damages
• Research Offender History
• Explanation to Offenders & Victims as to All Dispositions Available to Court
• Confirm Offender Eligibility for Restitution
• Restitution Participation Agreements Signed by Offenders and Victims
• Recommendation and Referral to Court for Dispositional Hearing

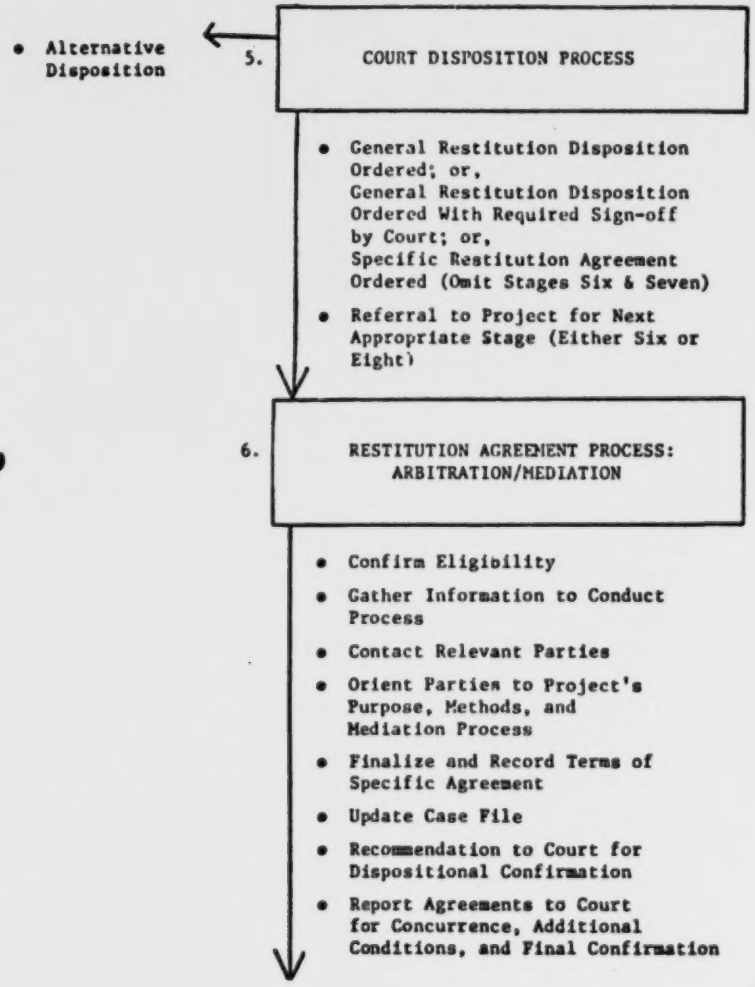
Judge/Master/Referee, Attorneys, Probation Staff, Youth, Parents (Others: Possible Restitution Staff and Victim)

Probation Staff, Restitution Staff, Victim, Offender, Parents

Stage Three generally involves a determination of guilt or innocence and a process for safeguarding the legal rights of the parties involved. Some local jurisdictions may combine this stage with stages four and five. Such combinations may require a recommendation by restitution project staff as well as potential involvement of the victim. Regardless of these variations, the restitution project purpose, eligibility criteria, and methods must be understood by all major actors.

Stage Four is aimed at determining the most appropriate disposition. Depending on the local jurisdiction, this may be done solely by the probation staff or, in conjunction with restitution project staff. Again, training on project purpose and eligibility criteria is required. Possible involvement with victims should ensure that unrealistic expectations are not raised during this stage.

Figure 1 (Page 2 of 6)


• Alternative Disposition
5. COURT DISPOSITION PROCESS
• General Restitution Disposition Ordered; or, General Restitution Disposition Ordered With Required Sign-off by Court; or, Specific Restitution Agreement Ordered (Omit Stages Six & Seven)
• Referral to Project for Next Appropriate Stage (Either Six or Eight)
6. RESTITUTION AGREEMENT PROCESS: ARBITRATION/MEDIATION
• Confirm Eligibility
• Gather Information to Conduct Process
• Contact Relevant Parties
• Orient Parties to Project's Purpose, Methods, and Mediation Process
• Finalize and Record Terms of Specific Agreement
• Update Case File
• Recommendation to Court for Dispositional Confirmation
• Report Agreements to Court for Concurrence, Additional Conditions, and Final Confirmation

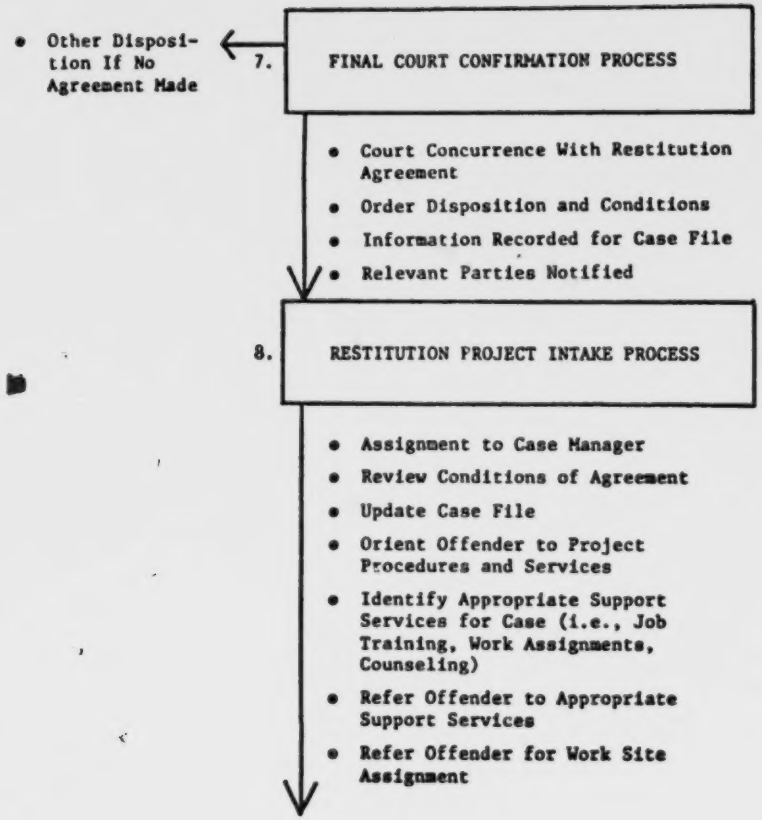
Judge/Master/Referee, Attorneys, Probation Staff, Youth, Parents (Others: Possibly Staff and Victim)

Probation Officer, Restitution Staff, Offender, Parents, Victim, Legal Counsel

Stage Five is the court ordered disposition phase. Orders may vary depending upon restitution projects' authority to set conditions, as well as any earlier project involvement in previous stages. For example, a disposition which completely specifies the terms of restitution bypasses the necessity of completing stages six and seven.

Stage Six relates primarily to those procedures through which a specific agreement is determined between the victim, the offender, and the restitution project. These will vary depending upon the project's location to the court, its earlier involvement in preceding stages, and the types of restitution it utilizes.

Figure 1 (Page 3 of 6)


• Other Disposition If No Agreement Made
7. FINAL COURT CONFIRMATION PROCESS
• Court Concurrence With Restitution Agreement
• Order Disposition and Conditions
• Information Recorded for Case File
• Relevant Parties Notified
8. RESTITUTION PROJECT INTAKE PROCESS
• Assignment to Case Manager
• Review Conditions of Agreement
• Update Case File
• Orient Offender to Project Procedures and Services
• Identify Appropriate Support Services for Case (i.e., Job Training, Work Assignments, Counseling)
• Refer Offender to Appropriate Support Services
• Refer Offender for Work Site Assignment

Judge/Master/Referee, Restitution Project Staff, Probation Officer (Others: Possibly Offender, Parents Victim)

Stage Seven involves court confirmation of the explicit terms of the restitution agreement. This may ensure that the court and all parties understand and agree as to the manner in which restitution will be made, how it will be accomplished, and the timing involved.

Restitution Staff, Offender, Parents, Support Agencies

Stage Eight involves the first steps involved in the formal restitution process. At this point, the offender is oriented to the project's specific procedures and services (e.g., payment methods, work assignments).

Figure 1 (Page 4 of 6)

9. **WORK SITE ASSIGNMENT PROCESS**

- Determine Appropriate Work Site
- Notify Appropriate Parties As To Placement and Starting Date
- Update Case File
- Refer Case to Case Manager

Restitution Staff, Offender

Stage Nine involves the determination and assignment of an appropriate work site.

10. **CASE MANAGEMENT PROCESS**

- Supervise or Designate Supervision of Offender
- Monitor Offender Performance
- Track and Manage Funds in Monetary Restitution Agreements
- Track and Manage Time in Community Service Agreements
- Supervise All Direct Service to Victims
- Contact and Feedback to Appropriate Parties (i.e., Court, Offender, Victim, Work Site Supervisors)
- Update Case File
- Determine Successful Completion of Agreement
- Referral to Court Upon Completion of Agreement Terms

Restitution Staff, Offender, Support Service Agencies, Work Site Supervisors, Victim

Stage Ten involves the procedures for managing a specific case as they relate to the offender, to the project, and to any support efforts. Non-Compliance issues are discussed in the narrative which follows this model.

Figure 1 (Page 5 of 6)

11. **FINAL COURT HEARING PROCESS**

Judge/Master/Referee, Restitution Staff, Offender, Parents

Stage Eleven involves the closure of the case for both the project and the court.

- Inform Major Parties as to Successful Completion of Agreement
- Termination of Restitution Agreement
- Termination of Probation
- Appropriate Closures on Case File

NON-COMPLIANCE ALTERNATIVES

Informal Process: Decision by case manager to handle the problem through an informal reprimand. The original agreement terms are not altered. Procedures include: 1) reprimand youth in an informal counselling session, 2) when appropriate, contact relevant parties concerning the youth's non-compliance and reprimand, and 3) update the case file.

Formal Process: Decision by case manager to meet with all relevant parties to discuss the youth's non-compliance and to formally reprimand the youth. The original agreement terms are not altered. Procedures include: 1) contact relevant parties to arrange meeting, 2) provide for legal safeguards, 3) reprimand youth during formal meeting, and 4) update the case file.

Re-Negotiation Process: Decision by case manager that non-compliance arises from the youth's inability to meet the original agreement terms. Procedures include: 1) contact all relevant parties to determine if re-negotiation is acceptable, 2) make recommendation to court to consider re-negotiation, 3) in the event of court concurrence, repeat stages six and seven above (otherwise use appropriate reprimand process and/or proceed under any new court mandates), and 4) update the case file.

Termination Process: Decision by case manager to terminate the agreement. Procedures include: 1) contact all relevant parties to determine if termination is acceptable, 2) make recommendation to court to consider termination, 3) in the event of court concurrence, refer case to court for termination hearing (otherwise choose another non-compliance alternative), 4) contact all relevant parties to arrange a court termination hearing date, 5) arrange for legal safeguards, and 6) in the event of termination, update and close case file (otherwise, case is referred back to project for another non-compliance alternative).

Figure 1 (Page 6 of 6)

Completion of a local flowchart which includes relevant procedures for non-compliance provides the basis for developing a procedural manual. This manual would therefore include:

- Written procedures for carrying out restitution project tasks;
- Information necessary to perform these tasks; and,
- Assignment of appropriate staff to these tasks.

III. ADDITIONAL MANAGERIAL ISSUES

There are several administrative areas which require particular attention by project managers. Discussions of these areas follow below with various suggestions for dealing with these important areas.

Data Collection (MIS) and Evaluation Research

Discussion: As indicated earlier, all projects involved in this national initiative on juvenile restitution are required by OJJDP to submit client activity information to IPA. In addition, there are a number of significant management reasons for collecting these and other data. One, this information offers a means of measuring the achievement of project objectives. Two, an assessment of this information can highlight the necessary changes and modifications which may be required. Three, this information can provide the basis for developing routine management and progress reports as required by various administrative bodies. Four, this information is the foundation for conducting research studies and local evaluations.

Suggestions:

1. Determine the information necessary to regularly assess the achievement of project objectives. Determine what information is presently being collected and its availability to the project. Determine what additional information may be required and how it will be obtained.

2. Examine the project's plan for evaluation (research, design, time, expense, methods). Determine to what extent the collection and

assessment of relevant data effectively eliminates the need for any components of this plan. Determine the degree to which the IPA national evaluation may be utilized to conserve any local evaluation costs.

3. Examine the following source material:
   a) Forms and other related materials available from IPA;
   b) NOSR document on evaluation research; and,
   c) NOSR document on request for proposals (RFP) monograph.

Legal Concerns/Safeguards

Discussion: Many constitutional problems are posed in utilizing different methods of restitution. As an offender's basic property and liberty are at stake, legal safeguards must be afforded to the offender at various stages of the restitution process. Many projects will have to additionally determine what civil recourse victims have in participating in a restitution agreement. While these issues are discussed in more detail in the source material listed below, the following suggestions are offered for local investigation.

Suggestions:

1. Utilize the services of legal counsel available to the project.

2. Develop agreements for a project internship program utilizing the services of law students from local private/public universities.

3. Examine the state laws, codes, and policies related to juvenile offenders and court procedures.

4. Examine the entire restitution process -- from point of selection to termination -- to determine the appropriate legal safeguards for offenders and victims.

5. Provide staff training as appropriate.

6. Examine the following source material:

   a) OJJDP, "Restitution by Juvenile Offenders: An Alternative to Incarceration", Legal Issues - Case Law - Appendix II, pp. 1-12

Liability/Insurance

Discussion: There are a number of inter-related liability issues involved in implementing juvenile restitution projects. Such issues include:

- Who is responsible for injury that may result to either victims or offenders in carrying our restitution agreements?

- How can the courts, the projects, and supportive agencies reduce risks against potential injuries?

- What is the individual or collective liability of the project (within its location) to victims and offenders?

- What is the individual or collective liability of work sites or support agencies utilized by the project for victims and offenders?

- What workmen's compensation coverage is available? Is it required? Who provides this coverage?

- How should these issues be resolved? At what cost? For whom (the victim, the offender, the project)?

Because of the major differences in the restitution methods being utilized and the varying administrative locations of projects, these issues have quite different implications for each.

Suggestions:

1. Determine if the court structure with which the restitution project interacts has liability/compensation insurance which adequately covers the relevant parties involved with the project (i.e., project staff, subcontractors, victims, offenders, support service providers).

2. Determine the availability and applicability of existing liability/compensation insurance coverage provided by the relevant level of government in which the restitution project operates (i.e., city, county, state).

3. Contact local attorneys, state insurance commission members, and various government agencies (e.g., CETA) knowledgeable about the general topic of public and private agencies working in conjunction with the court to determine: 1) the extent of liability of various parties involved with the implementation of restitution under different circumstances and project conditions; and, 2) options open to the restitution project in obtaining adequate liability/compensation coverage.

4. Contact various insurance carriers to obtain the best insurance coverage and rates. (If appropriate, use of an RFP should be considered.)

Pamphlet Development

Discussion: It is very likely that individual restitution projects will generate considerable interest in local communities and that management and staff will be required to serve on discussion panels, conduct presentations, and deliver speeches. As such, consideration might be given to developing various pamphlets to augment these additional responsibilities. The development of the following pamphlets could also serve as orientation tools and background material for subcontracting services (i.e., support agencies, training, research).

Suggestions:

1. Develop pamphlets for:
   a) The Offender -- highlighting the purposes of the project, its relationship to the court, the services it provides, and the offender's role;
   b) The Victim -- highlighting the purposes of the project, its relationship to the court, the services it provides, and the victim's role; and,
   c) The Community -- highlighting the purposes of the project, its place in the juvenile justice system, its major ingredients and operation, and community involvement.

2. Examine the NOSR document on public relations.

Project Orientation and Staff Training

Discussion: All projects can anticipate, to some degree, misunderstandings which may result in:

- Inadequate services to either victims or offenders;
- General start-up and communication difficulties among the court, the project, and the support agencies being utilized; and,
- Incomplete knowledge of project purpose and operations among the primary users of the project (e.g., county court judges, masters, referees, defense attorneys, prosecuting attorneys, and court services personnel).

While these types of problems are typically associated with the initial phases of project operation, they are often repeated due to both staff turnover within the project and changes in the positions of primary users. In addition, various support agencies will also suffer similar staff turnover problems. These changes may disrupt project operation and interfere with previous formal and informal agreements between the project and these parties. To avoid these difficulties, project managers should continuously clarify the project's relationship with the primary users and the support agencies involved. In addition, the following suggestions are provided.

Suggestions:

1. Acquaint primary users and support agencies in the following areas as necessary and when appropriate:
   a) The project's purpose, eligibility criteria, objectives, operational procedures, and types of restitution utilized; and,

b) The project's involvement in the national initiative and the experiences and results of other restitution projects.

2. In addition to more intensive staff training in the above topics, project managers should provide their staff with ongoing training sessions in the following areas:

   a) The local juvenile justice system and the project's relationship to it;

   b) The relevant statutes and codes pertaining to juvenile offenders and the project's legal safeguards for victims and offenders;

   c) The staff roles and responsibilities relative to project operations;

   d) The project's formal and informal agreements with the primary users and support agencies; and,

   e) The project's involvement in the national or local evaluation.

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A P P E N D I X A

SAMPLE AGREEMENTS AND PROGRESS REPORTS

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SAMPLE OFFENDER PARTICIPATION FORM

I, _____, have been fully informed of the actions that may be/have been brought against me as a result of petitition/case #_____.

The _____ restitution project's purpose and services have been explained to me and I agree to participate if accepted.

I understand that if I fail to complete the terms of the restitution agreement, I may be referred back to the court for an alternative disposition.

_____ / _____
Offender Date

_____ / _____
Parents Date

_____ / _____
Project Date

_____ / _____
Witness Date

SAMPLE VICTIM PARTICIPATION AGREEMENT FORM

I, _____, have been fully informed of the actions that may be/have been brought against a juvenile as a result of petition/case #_____.

The _____ restitution project's purpose and services have been explained to me and I agree to participate in the program subject to the following conditions:

_____ / _____

Victim Date

_____ / _____

Witness Date

SAMPLE VERIFICATION OF LOSS FORM

This form is to verify that as a result of the actions leading to case #_____ I suffered the damages below:

A. Costs for losses/damage $ _____

B. I received compensation from:

- insurance coverage $ _____
- victim compensation program $ _____
- other (list separately) $ _____

TOTAL COMPENSATION = $ _____

C. Total uncompensated costs are (A-B) = $ _____

My insurance carrier(s) is/are: _____

I give permission to the personnel of the restitution project to investigate these facts and my loss.

_____
Signature of Victim

PROJECT USE ONLY

Police report carries loss at $ _____

Insurance confirms payments of $ _____

Suggested restitution amount $ _____

SAMPLE PROGRESS REPORT FORM

(To Probation Officer, Judge, Victim, Others)

_____	_____
Case Number	Date
Terms Of Restitution Agreement:	Completed To Date:
Date ordered: _____	Current date: _____
Amount: $ _____	Amount: $ _____
Hours: _____	Hours: _____
Other: _____	Other: _____
_____	_____

Present Job Site: _____

Supervisor's Comments: _____

_____

_____

SAMPLE RESTITUTION AGREEMENT

(Page 1 of 3)

This three part agreement is made among the youth, the victim, and the restitution project in an effort to resolve case # _____.

Part I: Youth

Having been found guilty of _____,
I agree to fulfill the obligations listed below:

(Include here the terms and schedule of payment/services, additional responsibilities involved in making restitution, and any special conditions required by the court.)

I understand and accept the terms of this three part agreement.

Signatures:

_____ / _____
Youth Date

_____ / _____
Parents Date

_____ / _____
Project Staff Date

_____ / _____
Court Representative Date

_____ / _____
Witness Date

SAMPLE RESTITUTION AGREEMENT
(continued)

Part II: Victim

As the victim of an offense committed by a juvenile, I agree to formally participate with the restitution project as specified below:

(Include here any victim responsibilities.)

I understand and accept the terms of this three part agreement.

Signatures:

_____ / _____

Victim Date

_____ / _____

Project Staff Date

_____ / _____

Court Representative Date

_____ / _____

Witness Date

SAMPLE RESTITUTION AGREEMENT
(continued)

(Page 3 of 3)

Part III: Restitution Project Staff

As the supervising authority over this agreement, the restitution project will fulfill the obligations listed below:

(Include a summary of the project services being utilized in this case; e.g., job training, job assistance, counseling, procedures for case management and handling funds/time, continuous feedback to the court, youth, victim and other parties regarding progress on agreements.)

Signatures:

_____ / _____

Project Staff Date

_____ / _____

Court Representative Date

_____ / _____

Witness Date

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APPENDIX B

SAMPLE POSITION DESCRIPTIONS

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POSITION DESCRIPTION

Position:

Project Director/Manager/Coordinator for Juvenile Offender Restitution Project

Responsibilities and Duties:

To administer all functional aspects for the operation of project including: staff hiring, staff supervision, project implementation, fiscal and program accountability, and management of subcontracts.

To coordinate efforts between the local juvenile court, the project, and support agencies designed to assist in the completion of restitution agreements.

To act as a liason between the restitution project and OJJDP, NOSR, and IPA staff.

To manage or designate among staff responsibilities for the collection of data, case management with victims and offenders, public relations tasks, scheduling and work activities, budget control and reporting, and progress report preparation.

To continually clarify the purpose of the project, the criteria for participation (target population) and the services to be offered by the project to the court, the prosecuting attorney, the public defenders office, the local probation department, the public, and new staff members.

To develop a procedural manual for all decision making points in working with victims and offenders from the point of selection to termination, and the administrative functions which augment these tasks.

To provide for the training of staff and other major actors in the juvenile justice process with respect to the national goals and requirements of the project, the local objectives of the project, and its relationship within the local juvenile justice system.

To provide training to staff in the policies and procedures of project, legal safeguards, and history and issues involved in operating restitution efforts.

Responsibilities & Duties (Continued):	To provide training to staff in the state laws/codes relevant to the operation of the juvenile court. To provide training to staff in both the procedural operations of the local juvenile justice system (law enforcement, court, local corrections) and the projects' relationship to that system. To provide training to staff in the rationales and methods of developing project support within the juvenile justice system and the community. To ensure that proper legal safeguards are afforded to both victims and offenders and to each point within the individual restitution agreement and completion process. To manage or designate staff persons responsible to supervise individual efforts in case management, fiscal matters, restitution fund accounts, data collection, and project evaluation.

POSITION DESCRIPTION

Position: Case Manager for Victims

Responsibilities and Duties:

To understand the national and local objectives of the restitution effort, the legal safeguards for victims and offenders, and the policies and procedures of the restitution project.

To develop a process for identifying a victim or multiple victims as well as policies and procedures for involvement or exclusion.

To orient victims to the concept of restitution, the purposes of the project, and the conditions of involvement.

To provide for the victims orientation to the juvenile court and the projects relationship and responsibility to the court.

To establish a standard procedure for loss/damage assessment and verification.

To provide continual feedback to the victim with respect to case progress, difficulties, and termination.

To provide for legal and other safeguards to the victim (civil recourse, physical safety, anonymity as appropriate).

To maintain an accurate and updated file on the relevant information pertaining to each case, as determined by the project director.

POSITION DESCRIPTION

Position: Case Manager for Offenders

Responsibilities and Duties:

To understand the national and local objectives of the restitution effort, the legal safeguards for victims and offenders, and policies and procedures of the restitution project.

To ensure that offender meets criteria for participation in project.

To orient the offender to the concept of restitution, the purposes of the project, and the conditions of involvement.

To provide for the physical safety of offenders in work sites, employment programs, and community service slots.

To provide for case referral to the appropriate project and/or court personnel in instances of case completion, non-compliance, and successful termination.

To provide for legal safeguards at each point of involvement by the offender in the restitution agreement, process toward completion, non-compliance, and/or successful termination.

To provide an agreement to the offender as to the responsibilities of the project in assisting him/her in completing process.

To provide for the involvement of parents/guardians of the offender in the agreement.

To maintain an accurate and updated file on the relevant information pertaining to each case, as determined by the project director.

POSITION DESCRIPTION

Position: Mediator/Claims Adjuster/Arbitrator

Responsibilities and Duties:

To understand the national and local objectives of the restitution effort, the legal safeguards for victims and offenders, and the policies and procedures of the restitution project.

To establish a procedure for the collection of data pertinent to the creation of a restitution agreement between victims and offenders.

To provide an individual or collective forum for the determination of a fair and equitable restitution agreement process between the offender, victim, and other relevant parties as stipulated by the project manual.

To facilitate the interaction between parties involved in this forum, and to finalize and record the terms of the restitution agreement under the written consent of these parties.

To establish a procedure for transferring these agreements to the proper court personnel for final judicial signature, and to create an accurate and updated file on the particular victims and offenders involved for subsequent use by victim and offender case managers.